

Message Text

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ACTION L-03

INFO OCT-01 EUR-12 IO-13 ISO-00 PM-04 NSC-05 SP-02
SS-15 CIAE-00 INR-07 NSAE-00 /062 W
-----131025Z 051620 /20
R 130903Z APR 77
FM AMEMBASSY VIENNA
TO SECSTATE WASHDC 1392
INFO USMISSION USUN NEW YORK

UNCLAS VIENNA 2884

EO 11652: GDS
TAGS: UN PFOR
SUBJ: US CONFERENCE ON SUCCESSION OF STATES

SUMMARY:

1. COMMITTEE OF WHOLE ON APRIL 7 ADOPTED WITHOUT VOTE
ARTS. 3 AND 4 OF ILC DRAFT ARTICLES AND REFERRED THEM TO
DRAFTING COMMITTEE.

2. ARTICLE 5 (OBLIGATIONS IMPOSED BY INTERNATIONAL LAW
INDEPENDENTLY OF A TREATY) CAME UNDER CRITICISM INITIALLY
FROM GREECE, WHICH THOUGHT IT MERELY REPRODUCED ART. 43
OF VIENNA LAW OF TREATIES CONVENTION, AND FRANCE WHICH
SAID THAT, OUTSIDE OF JUS COGENS, OTHER RULES OF CUSTOMARY
INTERNATIONAL LAW WERE NOT NECESSARILY APPLICABLE TO
NEW STATE, AND THAT NO RULES COULD BE BINDING ON STATES
UNLESS THEY HAD CONSENTED TO THEM. SEVERAL FAVORED
DELETION OF ARTICLE ON GROUNDS THAT IT IMPOSED OBLIGATIONS
ON NEW STATES AND INTERFERRED WITH CLEAN SLATE PRINCIPLE.
SUPPORT FOR ARTICLE CAME FROM USSR, UK, UAE, MONGOLIA,
JAPAN, HUNGARY, CZECHOSLOVAKIA, SUDAN, PAKISTAN, BRAZIL
AMONG OTHERS. ROMANIA INTRODUCED AN AMENDMENT BUT
AGREED IT BE REFERRED TO DRAFTING COMMITTEE. GREECE
FINALLY WITHDREW ITS OBJECTION TO ARTICLE, AND FRANCE
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DECIDED ITS ONLY OBJECTION WAS TO FRENCH TEXT OF ART. 5
WHICH HE BELIEVED WAS NOT IN CONFORMITY WITH ENGLISH
TEXT. LATTER REFERS TO OBLIGATION TO WHICH STATE "WOULD
BE SUBJECT" UNDER INTERNATIONAL LAW, WHERE FRENCH
USES "IL EST SOUMIS." ART. 5 WAS THEREUPON ADOPTED
WITHOUT VOTE AND REFERRED TO DRAFTING COMMITTEE.

3. DEBATE ON ART. 6 STILL UNDERWAY AT END OF DAY
APRIL 12.

4. UN COUNCIL FOR NAMIBIA IN STATEMENT TO COMMITTEE
ON APRIL 7, SEEMING TO ACKNOWLEDGE ITS DELEGATION
DID NOT AS YET HAVE STATUS TO PROPOSE FORMAL AMENDMENT,
EXPRESSED DESIRE THAT ART. 2, 1 (F) DEFINITION OF NEWLY
INDEPENDENT STATE BE REVISED TO INCLUDE SUI GENERIS
SITUATION FOR NAMIBIA OF WHICH, IT SAID, THE PREDECESSOR
WOULD NOT BE STATE OF SOUTH AFRICA BUT UN ITSELF. IT
COMMENDED ILC DRAFT ARTICLES IN GENERAL BUT SAID IT
WOULD WISH TO ADDRESS COMMITTEE WHEN PARTICULAR ARTICLES
OF INTEREST TO IT WERE DISCUSSED.MEEHAN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: INTERNATIONAL LAW, SECESSION, AMENDMENTS, COMMITTEE MEETINGS, FOREIGN POLICY POSITION
Control Number: n/a
Copy: SINGLE
Sent Date: 13-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977VIENNA02884
Document Source: CORE
Document Unique ID: 00
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Executive Order: N/A
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Film Number: D770127-1187
Format: TEL
From: VIENNA
Handling Restrictions: n/a
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Legacy Key: link1977/newtext/t19770460/aaaabzrk.tel
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Litigation History:
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Original Classification: UNCLASSIFIED
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Original Previous Classification: n/a
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Review Exemptions: n/a
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Review Release Date: n/a
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SAS ID: 2815560
Secure: OPEN
Status: NATIVE
Subject: US CONFERENCE ON SUCCESSION OF STATES SUMMARY
TAGS: PFOR, PGOV, US, UN
To: STATE
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vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/ba43b2a5-c288-dd11-92da-001cc4696bcc
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